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1ST SESSION

S. 3496

To establish and implement a multi-year Legal Gold and Mining Partnership Strategy to reduce the negative environmental and social impacts of illicit gold mining in the Western Hemisphere, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2025

Mr. CORNYN (for himself, Mr. KAINE, Mr. CRUZ, and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To establish and implement a multi-year Legal Gold and Mining Partnership Strategy to reduce the negative environmental and social impacts of illicit gold mining in the Western Hemisphere, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “United States Legal Gold and Mining Partnership Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. Legal Gold and Mining Partnership Strategy.
- Sec. 5. Classified briefing on illicit gold mining in Venezuela.
- Sec. 6. Investigation of the illicit gold trade in Venezuela.
- Sec. 7. Leveraging international support.
- Sec. 8. Public-private partnership to build responsible gold value chains.
- Sec. 9. Rule of construction regarding not authorizing the use of military force.
- Sec. 10. Consideration of certain transactions involving precious metals for purposes of identifying primary money laundering concerns.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) The illicit mining, trafficking, and commer-
 4 cialization of gold in the Western Hemisphere—

5 (A) negatively affects the region’s economic
 6 and social dynamics;

7 (B) strengthens transnational criminal or-
 8 ganizations and other international illicit actors;
 9 and

10 (C) has a deleterious impact on the envi-
 11 ronment, indigenous peoples, and food security.

12 (2) A lack of economic opportunities and the
 13 weak rule of law promote illicit activities, such as il-
 14 licit gold mining, which increases the vulnerability of
 15 individuals in mining areas, including indigenous
 16 communities, which have been subjected to traf-
 17 ficking in persons, other human rights abuses, and
 18 population displacement in relation to mining activ-
 19 ity, particularly in the artisanal and small-scale min-
 20 ing sector.

1 (3) Illicit gold mining in Latin America often
2 involves and benefits transnational criminal organi-
3 zations, drug trafficking organizations, terrorist
4 groups, and other illegal armed groups that extort
5 miners and enter into illicit partnerships with them
6 in order to gain revenue from the illicit activity.

7 (4) Illicit gold supply chains are international in
8 nature and frequently involve—

9 (A) the smuggling of gold and supplies,
10 such as mercury;

11 (B) trade-based money laundering; and

12 (C) other cross-border flows of illicit as-
13 sets.

14 (5) In Latin America, mineral traders and ex-
15 porters, local processors, and shell companies linked
16 to transnational criminal networks and illegally
17 armed groups all play a key role in the trafficking,
18 laundering, and commercialization of illicit gold from
19 the region.

20 (6) According to a report on illegally mined
21 gold in Latin America by the Global Initiative
22 Against Transnational Organized Crime—

23 (A) more than 70 percent of the gold
24 mined in several Latin American countries,

1 such as Colombia, Ecuador, and Peru, is mined
2 through illicit means; and

3 (B) about 80 percent of the gold mined in
4 Venezuela is mined through illicit means and a
5 large percentage of such gold is sold—

6 (i) to Mibiturven, a joint venture op-
7 erated by the Maduro regime composed of
8 Minerven, a gold processor that has been
9 designated by the Office of Foreign Assets
10 Control of the Department of the Treas-
11 ury, pursuant to Executive Order 13850
12 (relating to blocking property of additional
13 persons contributing to the situation in
14 Venezuela), and Marilyns Proje Yatirim,
15 S.A., which is a Turkish company; or

16 (ii) through other trafficking and
17 commercialization networks from which the
18 Maduro regime benefits financially.

19 (7) Illegal armed groups and foreign terrorist
20 organizations, such as the Ejército de Liberación
21 Nacional (National Liberation Army—ELN), work
22 with transnational criminal organizations in Ven-
23 ezuela that participate in the illicit mining, traf-
24 ficking, and commercialization of gold.

1 (8) Transnational criminal organizations based
2 in Venezuela, such as El Tren de Aragua, have ex-
3 panded their role in the illicit mining, trafficking,
4 and commercialization of gold to increase their
5 criminal profits.

6 (9) Nicaragua’s gold exports during 2023 were
7 valued at an estimated \$1,240,000,000, of which—

8 (A) gold valued at an estimated
9 637,000,000 was shipped to the United States;

10 (B) gold valued at an estimated
11 \$353,000,000 was shipped to Canada;

12 (C) gold valued at an estimated
13 \$244,000,000 was shipped to Switzerland; and

14 (D) gold valued at an estimated
15 \$6,560,000 was shipped to Italy.

16 (10) U.S. Customs and Border Protection has
17 recognized that illegal logging is the world’s most
18 profitable natural resource crime and that profits
19 from illegal logging finance illegal mining.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) APPROPRIATE CONGRESSIONAL COMMIT-
23 TEES.—The term “appropriate congressional com-
24 mittees” means—

1 (A) the Committee on Foreign Relations of
2 the Senate;

3 (B) the Committee on the Judiciary of the
4 Senate;

5 (C) the Committee on Banking, Housing,
6 and Urban Affairs of the Senate;

7 (D) the Select Committee on Intelligence
8 of the Senate;

9 (E) the Committee on Foreign Affairs of
10 the House of Representatives;

11 (F) the Committee on the Judiciary of the
12 House of Representatives;

13 (G) the Committee on Financial Services
14 of the House of Representatives; and

15 (H) the Permanent Select Committee on
16 Intelligence of the House of Representatives.

17 (2) ARTISANAL AND SMALL-SCALE MINING;
18 ASM.—The terms “artisanal and small-scale mining”
19 and “ASM” refer to a form of mining common in
20 the developing world that—

21 (A) typically employs rudimentary, simple,
22 and low-cost extractive technologies and manual
23 labor-intensive techniques;

24 (B) is frequently subject to limited regula-
25 tion; and

1 (C) often features harsh and dangerous
2 working conditions.

3 (3) KEY STAKEHOLDERS.—The term “key
4 stakeholders” means private sector organizations, in-
5 dustry representatives, and civil society groups that
6 represent communities in areas affected by illicit
7 mining and trafficking of gold, including indigenous
8 groups, that are committed to the implementation of
9 the Legal Gold and Mining Partnership Strategy.

10 (4) LEGAL GOLD AND MINING PARTNERSHIP
11 STRATEGY; STRATEGY.—The terms “Legal Gold and
12 Mining Partnership Strategy” and “Strategy” mean
13 the strategy developed pursuant to section 4.

14 (5) RELEVANT FEDERAL DEPARTMENTS AND
15 AGENCIES.—The term “relevant Federal depart-
16 ments and agencies” means the Department of State
17 and all other Federal departments and agencies des-
18 ignated by the President as having significant do-
19 mestic or foreign affairs equities in countering illicit
20 mining.

21 (6) SECRETARY.—The term “Secretary” means
22 the Secretary of State.

1 **SEC. 4. LEGAL GOLD AND MINING PARTNERSHIP STRAT-**
2 **EGY.**

3 (a) STRATEGY REQUIRED.—The Secretary, in coordi-
4 nation with the heads of relevant Federal departments and
5 agencies, shall develop a comprehensive, multi-year strat-
6 egy, which shall be known as the Legal Gold and Mining
7 Partnership Strategy, to combat illicit gold mining in the
8 Western Hemisphere.

9 (b) ELEMENTS.—The Strategy shall include policies,
10 programs, and initiatives—

11 (1) to interrupt the linkages between gold min-
12 ing, including ASM, and illicit actors that profit
13 from illicit mining in the Western Hemisphere;

14 (2) to deter ASM in environmentally protected
15 areas, such as national parks and conservation
16 zones, to prevent mining-related contamination of
17 critical natural resources, such as water resources,
18 soil, tropical forests, and other flora and fauna, and
19 aerosol contamination linked to detrimental health
20 impacts;

21 (3) to counter the financing and enrichment of
22 actors involved in the illicit mining, trafficking, and
23 commercialization of gold, and the abetting of their
24 activities by—

1 (A) promoting the exercise of due diligence
2 and the use of responsible sourcing methods in
3 the purchase and trade of ASM;

4 (B) preventing and prohibiting foreign per-
5 sons who control commodity trading chains
6 linked to illicit actors from enjoying the benefits
7 of access to the territory, markets or financial
8 system of the United States, and halting any
9 such ongoing activity by such foreign persons;

10 (C) combating related impunity afforded to
11 illicit actors by addressing corruption in govern-
12 ment institutions and interrupting linkages be-
13 tween corrupt officials and illicit actors that ex-
14 ploit ASM miners;

15 (D) supporting the capacity of financial in-
16 telligence units, customs agencies, and other
17 government institutions focused on anti-money
18 laundering initiatives and combating the financ-
19 ing of criminal activities and terrorism to exer-
20 cise oversight consistent with the threats posed
21 by illicit gold mining; and

22 (E) working with the governments and ap-
23 propriate institutions of countries that host gold
24 refineries or processing centers to deter the im-

1 portation of illicit gold and implement greater
2 due diligence practices;

3 (4) to build the capacity of foreign civilian law
4 enforcement institutions in the Western Hemisphere
5 to effectively counter—

6 (A) linkages between illicit gold mining, il-
7 licit actors, money laundering, and other finan-
8 cial crimes, including trade-based money laun-
9 dering;

10 (B) linkages between illicit gold mining, il-
11 licit actors, trafficking in persons, and forced or
12 coerced labor, including sex work and child
13 labor;

14 (C) linkages between illicit gold mining, il-
15 licit actors, and the illegal timber trade;

16 (D) the cross-border trafficking of illicit
17 gold, and the mercury, cyanide, explosives, and
18 other hazardous materials used in illicit gold
19 mining, particularly those originating in China
20 or trafficked by transnational criminal organi-
21 zations; and

22 (E) surveillance and investigation of illicit
23 and related activities that are related to or are
24 indicators of illicit gold mining activities;

1 (5) to ensure the successful implementation of
2 the existing Memoranda of Understanding signed
3 with the Governments of Peru and of Colombia in
4 2017 and 2018, respectively, to expand bilateral co-
5 operation to combat illicit gold mining;

6 (6) to work with governments in the Western
7 Hemisphere, bolster the effectiveness of anti-money
8 laundering efforts to combat the financing of illicit
9 actors in Latin America and the Caribbean and
10 counter the laundering of proceeds related to illicit
11 gold mining by—

12 (A) fostering international and regional co-
13 operation and facilitating intelligence sharing,
14 as appropriate, to identify and disrupt financial
15 flows related to the illicit gold mining, traf-
16 ficking, and commercialization of gold and
17 other minerals and illicit metals; and

18 (B) supporting the formulation of strate-
19 gies to ensure the compliance of reporting insti-
20 tutions involved in the mining sector and to
21 promote transparency in mining-sector trans-
22 actions;

23 (7) to support foreign government efforts—

24 (A) to facilitate licensing and formalization
25 processes for ASM miners;

1 (B) to develop mechanisms to support reg-
 2 ulated cultural artisanal mining and artisanal
 3 mining as a job growth area; and

4 (C) to implement existing environmental
 5 standards;

6 (8) to engage the mining industry and relevant
 7 trade or industry associations to encourage the
 8 building of technical expertise in best practices and
 9 access to new technologies;

10 (9) to support the establishment of gold com-
 11 modity supply chain due diligence, responsible
 12 sourcing, tracing and tracking capacities, and stand-
 13 ards-compliant commodity certification systems in
 14 countries in Latin America and the Caribbean, in-
 15 cluding efforts recommended in the OECD Due Dili-
 16 gence Guidance for Responsible Supply Chains of
 17 Minerals from Conflict-Affected and High Risk
 18 Areas, Third Edition (2016);

19 (10) to engage with civil society to reduce the
 20 negative environmental impacts of ASM, particu-
 21 larly—

22 (A) the use of mercury in preliminary re-
 23 fining;

24 (B) the destruction of tropical forests;

1 (C) the construction of illegal and unregu-
2 lated dams and the resulting valley floods;

3 (D) the pollution of water resources and
4 soil; and

5 (E) the release of dust, which can contain
6 toxic chemicals and heavy metals that can cause
7 severe health problems;

8 (11) to aid and encourage ASM miners—

9 (A) to formalize their business activities,
10 including through skills training, technical and
11 business assistance, and access to financing,
12 loans, and credit;

13 (B) to utilize mercury-free gold refining
14 technologies and mining methods that minimize
15 deforestation, air pollution, and water and soil
16 contamination;

17 (C) to reduce the costs associated with for-
18 malization and compliance with mining regula-
19 tions; and

20 (D) to fully break away from the influence
21 of illicit actors who leverage the control of terri-
22 tory and use violence to extort miners and push
23 them into illicit arrangements;

24 (12) to interrupt the illicit gold trade in Nica-
25 ragua, including through the use of targeted United

1 States measures against the government led by
 2 President Daniel Ortega and Vice-President Rosario
 3 Murillo and their collaborators pursuant to Execu-
 4 tive Order 14088 (relating to taking additional steps
 5 to address the national emergency with respect to
 6 the situation in Nicaragua), which was issued on Oc-
 7 tober 24, 2022;

8 (13) to assist local journalists with investiga-
 9 tions of illicit mining, trafficking, and commer-
 10 cialization of gold and its supplies in the Western
 11 Hemisphere;

12 (14) to promote responsible sourcing and due
 13 diligence at all levels of gold supply chains, including
 14 through the use of existing widely adopted, industry-
 15 standard responsible sourcing and due diligence
 16 standards; and

17 (15) to prevent the intentional misinvoicing of
 18 the origins of gold shipments at transshipment
 19 points.

20 (c) ASSESSMENT OF CHALLENGES.—The Strategy
 21 shall include an assessment of the challenges posed by,
 22 and policy recommendations to address—

23 (1) linkages between ASM sector production
 24 and trade, particularly relating to gold, to the activi-
 25 ties of illicit actors, including linkages that help to

1 finance or enrich such illicit actors or abet their ac-
 2 tivities;

3 (2) linkages between illicit or grey market
 4 trade, and markets in gold and other metals or min-
 5 erals and legal trade and commerce in such commod-
 6 ities, notably with respect to activities that abet the
 7 entry of such commodities into legal commerce, in-
 8 cluding—

9 (A) illicit cross-border trafficking, includ-
 10 ing with respect to goods, persons and illegal
 11 narcotics;

12 (B) money-laundering;

13 (C) the financing of illicit actors or their
 14 activities; and

15 (D) the extralegal entry into the United
 16 States of—

17 (i) metals or minerals, whether of
 18 legal foreign origin or not; and

19 (ii) the proceeds of such metals or
 20 minerals;

21 (3) linkages between the illicit mining, traf-
 22 ficking, and commercialization of gold, diamonds,
 23 and precious metals and stones, and the financial
 24 and political activities of the regime of Nicolás
 25 Maduro of Venezuela;

1 (4) factors that—

2 (A) produce linkages between ASM miners
3 and illicit actors, prompting some ASM miners
4 to utilize mining practices that are environ-
5 mentally damaging and unsustainable, notably
6 mining or related ore processing practices
7 that—

8 (i) involve the use of elemental mer-
9 cury; or

10 (ii) result in labor, health, environ-
11 mental, and safety code infractions and
12 workplace hazards; and

13 (B) lead some ASM miners to operate in
14 the extralegal or poorly regulated informal sec-
15 tor, and often prevent such miners from im-
16 proving the socioeconomic status of themselves
17 and their families and communities, or hinder
18 their ability to formalize their operations, en-
19 hance their technical and business capacities,
20 and access finance of fair market prices for
21 their output;

22 (5) mining-related trafficking in persons and
23 forced or coerced labor, including sex work and child
24 labor; and

1 (6) the use of elemental mercury and cyanide in
2 ASM operations, including the technical aims and
3 scope of such usage and its impact on human health
4 and the environment, including flora, fauna, water
5 resources, soil, and air quality.

6 (d) FOREIGN ASSISTANCE.—The Strategy shall de-
7 scribe—

8 (1) existing foreign assistance programs that
9 address elements of the Strategy; and

10 (2) additional foreign assistance resources need-
11 ed to fully implement the Strategy.

12 (e) BEST PRACTICES.—The Strategy shall, to the ex-
13 tent practicable, avoid duplication of effort in the develop-
14 ment of due diligence and responsible sourcing standards,
15 including through the use of existing widely adopted in-
16 dustry standards.

17 (f) SUBMISSION.—Not later than 180 days after the
18 date of the enactment of this Act, the President shall sub-
19 mit the Strategy to the appropriate congressional commit-
20 tees.

21 (g) SEMIANNUAL BRIEFINGS.—Not later than 180
22 days after submission of the Strategy, and semiannually
23 thereafter for the following 3 years, the Secretary, or the
24 Secretary's designee, shall provide a briefing to the appro-
25 priate congressional committees regarding—

1 (1) the implementation of the strategy, includ-
 2 ing efforts to leverage international support and de-
 3 velop a public-private partnership to build respon-
 4 sible gold value chains with other governments;

5 (2) revisions to the Strategy that are needed to
 6 better align the Strategy to new or emerging chal-
 7 lenges in combating illicit gold mining; and

8 (3) recommendations from the Strategy that
 9 can be applied to combat illicit gold mining on a
 10 global scale.

11 **SEC. 5. CLASSIFIED BRIEFING ON ILLICIT GOLD MINING IN**
 12 **VENEZUELA.**

13 Not later than 90 days after the date of the enact-
 14 ment of this Act, the Secretary, or the Secretary's des-
 15 ignee, in coordination with the Director of National Intel-
 16 ligence, or the Director's designee, shall provide a classi-
 17 fied briefing to the appropriate congressional committees,
 18 the Select Committee on Intelligence of the Senate, and
 19 the Permanent Select Committee on Intelligence of the
 20 House of Representatives that describes—

21 (1) the activities related to illicit gold mining,
 22 including the illicit mining, trafficking, and commer-
 23 cialization of gold, inside Venezuelan territory car-
 24 ried out by illicit actors, including defectors from the
 25 Revolutionary Armed Forces of Colombia (FARC)

1 and members of the National Liberation Army
2 (ELN); and

3 (2) Venezuela's illicit gold trade with foreign
4 governments, including the Government of the Re-
5 public of Turkey and the Government of the Islamic
6 Republic of Iran.

7 **SEC. 6. INVESTIGATION OF THE ILLICIT GOLD TRADE IN**
8 **VENEZUELA.**

9 The Secretary, in coordination with the Secretary of
10 the Treasury, the Attorney General, and allied and part-
11 ner governments in the Western Hemisphere, shall—

12 (1) lead a coordinated international effort to
13 carry out financial investigations to identify and
14 track assets taken from the people and institutions
15 in Venezuela that are linked to money laundering
16 and illicit activities, including mining-related activi-
17 ties, by sharing financial investigations intelligence,
18 as appropriate and as permitted by law; and

19 (2) provide technical assistance to help eligible
20 governments in Latin America establish legislative
21 and regulatory frameworks capable of imposing and
22 effectively implementing targeted sanctions on—

23 (A) officials of the Maduro regime who are
24 directly engaged in the illicit mining, traf-
25 ficking, and commercialization of gold; and

1 (B) foreign persons engaged in the laun-
2 dering of illicit gold assets linked to designated
3 terrorist and drug trafficking organizations.

4 **SEC. 7. LEVERAGING INTERNATIONAL SUPPORT.**

5 In implementing the Strategy pursuant to section 4,
6 the President should direct United States representatives
7 accredited to relevant multilateral institutions and devel-
8 opment banks and United States ambassadors in the
9 Western Hemisphere to use the influence of the United
10 States to foster international cooperation to achieve the
11 objectives of this Act, including—

12 (1) marshaling resources and political support;

13 and

14 (2) encouraging the development of policies and
15 consultation with key stakeholders to accomplish
16 such objectives and provisions.

17 **SEC. 8. PUBLIC-PRIVATE PARTNERSHIP TO BUILD RESPON-**
18 **SIBLE GOLD VALUE CHAINS.**

19 (a) IN GENERAL.—The Secretary shall coordinate
20 with the Governments of Colombia, of Ecuador, of Peru,
21 and of other democratically elected governments in the re-
22 gion determined by the Secretary to establish a public-pri-
23 vate partnership to support programming in participating
24 countries that will—

1 (1) support the ASM gold mining sector's for-
2 malization and compliance with the existing environ-
3 mental and labor standards in participating coun-
4 tries;

5 (2) increase awareness of access to financing
6 for ASM gold miners who are taking significant
7 steps to formalize their operations and comply with
8 the existing labor and environmental standards in
9 participating countries;

10 (3) enhance the traceability and support the es-
11 tablishment of a certification process for ASM gold;

12 (4) support a public relations campaign to pro-
13 mote responsibly sourced gold;

14 (5) include representatives of local civil society
15 to work towards soliciting the free and informed
16 consent of those living on lands with mining poten-
17 tial;

18 (6) facilitate contact between vendors of respon-
19 sibly sourced gold and United States companies; and

20 (7) promote policies and practices in partici-
21 pating countries that are conducive to the formaliza-
22 tion of ASM gold mining and promoting adherence
23 of ASM to internationally recognized best practices
24 and standards.

1 **SEC. 9. RULE OF CONSTRUCTION REGARDING NOT AU-**
 2 **THORIZING THE USE OF MILITARY FORCE.**

3 Nothing in this Act may be construed as authorizing
 4 the use of military force or the introduction of United
 5 States forces into hostilities.

6 **SEC. 10. CONSIDERATION OF CERTAIN TRANSACTIONS IN-**
 7 **VOLVING PRECIOUS METALS FOR PURPOSES**
 8 **OF IDENTIFYING PRIMARY MONEY LAUN-**
 9 **DERING CONCERNS.**

10 Section 5318A(c)(2) of title 31, United States Code,
 11 is amended—

12 (1) in subparagraph (A)—

13 (A) by redesignating clauses (iii) through
 14 (vii) as clauses (iv) through (viii), respectively;
 15 and

16 (B) by inserting after clause (ii) the fol-
 17 lowing:

18 “(iii) the extent to which the jurisdic-
 19 tion or financial institutions operating in
 20 that jurisdiction facilitate transactions in-
 21 volving the mining, sale, or trade of pre-
 22 cious metals subject to any sanctions im-
 23 posed by the United States;” and

24 (2) in subparagraph (B)—

25 (A) by redesignating clauses (ii) and (iii)
 26 as clauses (iii) and (iv), respectively; and

1 (B) by inserting after clause (i) the fol-
2 lowing:

3 “(ii) the extent to which such finan-
4 cial institutions are used to facilitate trans-
5 actions involving the mining, sale, or trade
6 of precious metals and are subject to any
7 sanctions imposed by the United States;”.

○